



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Gustavson, et al.

Serial No.: 10/671,933

Group Art Unit: 2193

Filed: September 29, 2003

Examiner: Do, Chat. C.

For: METHOD AND STRUCTURE FOR PRODUCING HIGH PERFORMANCE  
LINEAR ALGEBRA ROUTINES USING A HYDBRID FULL-PACKED  
STORAGE FORMAT

Honorable Commissioner for Patents  
Alexandria, VA 22313-1450

**SUBMISSION OF PAGE 2  
NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated December 3, 2007 (copy attached), submitted herewith is copy of page 2 of Appellants' Brief on Appeal filed November 19, 2007 for the above-identified patent application. Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

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Date: 12/06/07

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## II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellants, Appellants' legal representative or Assignee which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.


## III. STATUS OF CLAIMS

Claims 1, 4-6, 10, 13-15, 18, 19, and 26-28 are all of the claims presently pending. Claims 2, 3, 7-9, 11, 12, 16, 17, and 20-25 are canceled.

Claims 1, 4-6, 10, 13-15, 18, 19, and 26-28 stand rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. There is no prior art rejection remaining in the prosecution of the pending claims.

This non-statutory subject matter rejection is being appealed for all pending claims.

## IV. STATUS OF AMENDMENTS

A ~~Request for Reconsideration~~ An Amendment Under 37 CFR §1.116 was filed on ~~September 29~~ August 20, 2007. In the Advisory Action mailed on September 10, 2007, the Examiner indicated that the arguments in the ~~Request for Reconsideration~~ Amendment Under 37 CFR §1.116 were not persuasive and that the rejection based on statutory subject matter was maintained for all claims, but that the Amendment would be entered for an Appeal.

## V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention is directed to a method to at least one of reduce memory space requirement and/or to increase processing efficiency in a computerized method of linear algebra processing by providing a hybrid full-packed data structure, as provided for processing data of a triangular matrix by one or more dense linear algebra (DLA) matrix subroutines designed to process matrix data in a full format, as modified to process matrix data using the hybrid full-packed data structure. The hybrid full-packed data structure provides a compact rectangular full format data structure for an entirety of triangular

Docket YOR920030168US1 (YOR.462)

DEC 06 2007



**Notification of Non-Compliant Appeal Brief  
(37 CFR 41.37)**

Application No. 10/671,933	Applicant(s) GUSTAVSON ET AL.	
Examiner C. Do	Art Unit 2193	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 19 November 2007 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.  
**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☒ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

c(4) The status of all after-final amendments filed subsequent to the final rejection(8/20/07).  
The entire brief is not required, only the section that was found defective..

DARLENE BROWN  
PATENT APPEAL CENTER SPECIALIST